



<b>TERMINAL DISCLAIMER TO OBLIVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION</b>		Docket Number (Optional) 1033855-000007
<p>In re Patent Application of: Giacalone, Lou Jr.</p> <p>Application No.: 09/828,257</p> <p>Filed: April 6, 2001</p> <p>For: SYSTEM FOR ELECTRONICALLY DISTRIBUTING DISPLAYING AND CONTROLLING THE PLAY SCHEDULING OF ADVERTISING AND OTHER COMMUNICATIVE MEDIA</p>		
<p>The owner*, <u>AdSpace Networks, Inc.</u>, of <u>100%</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>09/828,463</u>, filed on <u>April 6, 2001</u> of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p>		
<p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: Expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p>		
<p>Check either box 1 or 2 below, if appropriate.</p>		
<p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.</p>		
<p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p>		
		April 25, 2006
Signature		Date
Chung S. Park		
Typed or printed name		
(650) 622-2300 04/28/2006 JADD01 00000891 09828257		
Telephone Number 02 FC:2814		65.00 OP
<p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.</p>		
<p>*Statement under 37 C.F.R. § 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.</p>		